

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

PATENT

RECEIVED

AUG 07 2007

OFFICE OF PETITIONS

Applicant(s): Yuan Min WU et al.

Serial No: 09/083,410

Group Art Unit: 1634

Filed: May 22, 1998

Examiner: A. Marschel

Att. Docket No.: E1047/20006

Confirmation No.:

Patent No. 6,046,004

Issued: April 4, 2000

For: SOLUTION HYBRIDIZATION OF NUCLEIC ACIDS WITH ANTISENSE  
PROBES HAVING MODIFIED BACKGROUND**RESUBMISSION OF DOCUMENTS AND NOTIFICATION OF  
LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**United States Patent and Trademark Office  
Maintenance Fee Branch, Office of Finance  
ATTN: George Allen  
Via EFS-Web & Facsimile to 571-273-6500

Sir:

In preparing to pay the 7½ year maintenance fee using the PTO's finance online shopping page, Patentee found that its status does not appear to have been updated from small to large. On December 1, 2004, Patentee notified the PTO that it was withdrawing its claim to small entity status and authorized the PTO to charge Patentee \$495.00 for the deficiency in payment of the 3½ maintenance fee. Copies of the December 1, 2004 Correction of Small Entity Status and Facsimile Receipt are submitted herewith. Mr. George Allen of the PTO Finance Office today confirmed that the \$495.00 charge was never made against our account.

Patentee hereby requests the PTO to enter the December 1, 2004 Correction, charge the \$495.00 deficiency to Account No. 03-0075, and change Patentee's status to large so that the 7½ year maintenance fee can be paid online. Should there be any questions or concerns regarding this matter, please contact the undersigned at the telephone number listed below.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,  
COHEN & POKOTILOW, LTD.By David M. Tener  
Registration No. 37,054  
Customer No. 03000  
(215) 567-2010  
Attorneys for Patentee

July 30, 2007

Please charge or credit our Account  
No. 03-0075 as necessary to effect  
entry and/or ensure consideration of  
this submission.

08/02/2007 MBANGURA 00000063 030075 6046004

01 FC:1559 455.00 DA

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO	1269	
CONNECTION TEL		17033085077
SUBADDRESS		
CONNECTION ID		
ST. TIME	12/01 12:36	
USAGE T	00' 40	
PGS. SENT	4	
RESULT	OK	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

PATENT

Applicant(s): Yuan Min WU et al.

RECEIVED

Serial No: 09/083,410

Group Art Unit:

AUG 07 2007

Filed: May 22, 1998

Examiner:

OFFICE OF PETITIONS

Att. Docket No.: E1047/20006

Confirmation No.:

Patent No. 6,046,004

Issued: April 4, 2000

For: SOLUTION HYBRIDIZATION OF NUCLEIC ACIDS WITH ANTISENSE  
PROBES HAVING MODIFIED BACKGROUND

CORRECTION OF SMALL ENTITY STATUS UNDER 37 CFR 1.28(c)

Mail Stop: M Correspondence  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Patentees have recently become aware of information suggesting that they lost their entitlement to claim small entity status in this matter as a result of a May 22, 2003 sublicense from Genetic Diagnostics, Inc., a small entity licensee of the assignee, to a large entity sublicensee, CML Healthcare, Inc. The erroneous payments were made in good faith by Patentees, and are being corrected promptly after discovery by Patentees of the apparent loss of small entity status.

Accordingly, Patentees submit this paper to update their status and pay the deficiency owed for fees erroneously paid at the small entity rate since May 22, 2003. The following table shows the erroneous fee(s) paid at the small entity rate that should have been paid at the large

## PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

Applicant(s): Yuan Min WU et al.

Serial No: 09/083,410

Group Art Unit:

Filed: May 22, 1998

Examiner:

Att. Docket No.: E1047/20006

Confirmation No.:

Patent No. 6,046,004

Issued: April 4, 2000

For: SOLUTION HYBRIDIZATION OF NUCLEIC ACIDS WITH ANTISENSE  
PROBES HAVING MODIFIED BACKGROUND

RECEIVED

AUG 07 2007

OFFICE OF PETITIONS

CORRECTION OF SMALL ENTITY STATUS UNDER 37 CFR 1.28(c)Mail Stop: M Correspondence  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Patentees have recently become aware of information suggesting that they lost their entitlement to claim small entity status in this matter as a result of a May 22, 2003 sublicense from Genetic Diagnostics, Inc., a small entity licensee of the assignee, to a large entity sublicensee, CML Healthcare, Inc. The erroneous payments were made in good faith by Patentees, and are being corrected promptly after discovery by Patentees of the apparent loss of small entity status.

Accordingly, Patentees submit this paper to update their status and pay the deficiency owed for fees erroneously paid at the small entity rate since May 22, 2003. The following table shows the erroneous fee(s) paid at the small entity rate that should have been paid at the large entity rate, the current fee(s) for the same transaction(s), and the deficiency owed (i.e., the difference between the erroneous fee(s) and the current fee(s)).

Erroneous Fee			Current Fee	Deficiency Owed
Type	Date	Amount		
Maintenance Fee	05-28-03	\$445.00	\$940.00	\$495.00

Authorization is hereby provided to charge our Account No. 03-0075 in the amount of \$495.00 to cover the deficiency owed. The Office is also authorized to charge any additional fees related to this matter (including the processing fee of 37 CFR § 1.17(i), if required) to that Account. A duplicate copy of this entity status correction is provided.

Application No. 09/083,410

Correction of Small Entity Status Dated December 1, 2004

It is understood that this paper will also act as a notification of loss of status pursuant to 37 CFR § 1.28(d). Issuance of a paper acknowledging this updated information is respectfully requested.

Should there be any questions or concerns regarding this matter, please contact the undersigned at the telephone number listed below.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,  
COHEN & POKOTILOV, LTD.

December 1, 2004

Please charge or credit our  
Account No. 03-0075 as necessary  
to effect entry and/or ensure  
consideration of this submission.

By 

David M. Tener  
Registration No. 37,054  
Customer No. 03000  
(215) 567-2010  
Attorneys for Patentee(s)

RECEIVED

AUG 07 2007

OFFICE OF PETITIONS

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing CORRECTION OF SMALL ENTITY STATUS UNDER 37 CFR 1.28(c) in duplicate re U.S. Patent No. 6,046,004 (Application Serial No. 09/083,410) is being facsimile transmitted to the U.S. Patent and Trademark Office, Maintenance Fee Branch, Office of Finance at (703) 308-5077 addressed to: Mail Stop M Correspondence, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, this 1<sup>st</sup> day of December, 2004.



David M. Tener